Notice of Allowability	Application No.	Applicant(s)
	10/724,335	MORTON, STEVEN E.
	Examiner	Art Unit
	Frederick J. Parker	1762
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.		
1. This communication is responsive to		
2. The allowed claim(s) is/are <u>9-13.</u>		
3. \boxtimes The drawings filed on <u>29 November 2003</u> are accepted by	the Examiner.	
4.		
7. DEPOSIT OF and/or INFORMATION about the deposit attached Examiner's comment regarding REQUIREMENT		
Attachment(s) 1. ☑ Notice of References Cited (PTO-892)	5. Notice of Informal P	atent Application (PTO-152)
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	6. ⊠ Interview Summary Paper No./Mail Dat	
3. Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date 11-29-03		
4. Examiner's Comment Regarding Requirement for Deposit		ent of Reasons for Allowance
of Biological Material	9. Other	
		<u>//) </u>

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jason Foster on 1/17/05.

The application has been amended as follows:

- In the specification, in cross-reference to related applications beginning on line 4 of page 1, after "2001", the phrase - , now U.S. 6,716,482- has been inserted.
- In the title of the application, after "coating", the phrase -- applied to a particulate substrate -- has been inserted.
- Claim 9: step (a), -- particulate - has been inserted before "substrate"; in the third line of step (d), "wearing" has been deleted and replaced by -- wear resistant --.
- 2. The following is an examiner's statement of reasons for allowance:
- 3. The inventive method applies a wear-resistant coating onto a particulate substrate (sand, soil, gravel), the method comprising disposing reinforcing fibers onto the particulate substrate, applying a liquid matrix material thereon, contacting the exposed surface of the matrix material

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with particulate, and hardening the matrix material to form a composite of reinforcing fibers and matrix material with an outer wear-resistant surface of particulate.

The closest prior art is US 3,334,555 which applies a liquid layer comprising a flexibilizing resin, followed by a liquid epoxy containing an embedded layer of abrasive grain onto a rigid base; filler or glass fibers may be included. US 3,555,828 teaches application of a liquid elastomer coating and optionally particle fillers and fibers to earth or soil, followed by curing of the liquid elastomer to form a surface membrane to prevent water seepage. US 2,925,831 teaches applying a composite structure to solid bases, such as pavement, metal, or brick, comprising two polymeric layers incorporating particulate. It is the Examiner's opinion that the Stated Prior Art does not teach, nor fairly suggest to combine, the cited references to produce the invention in this Application.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frederick J. Parker whose telephone number is 571/272-1426.

The examiner can normally be reached on Mon-Thur. 6:15am -3:45pm, and alternate Fridays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive Beck can be reached on 571/272-1415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Primary Examiner
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